

Prisons Department says no to Anwar attending Parliament
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The Prisons Department will not allow Datuk Seri Anwar Ibrahim to attend the Parliament meeting on Monday, according to the ruling BN Backbenchers Club (BNBBC).

In a post today, the website reported that the department had rejected the application put in by Anwar's wife Datuk Seri Dr Wan Azizah Wan Ismail and daughter Nurul Izzah Anwar for Anwar to attend the month-long meeting starting on Monday.

The BNBBC said the opposition leader's application was rejected on the grounds that the prison was bound by prison procedures.

The website reported that the Prisons department had notified Dewan Rakyat Speaker Pandikar Amin Mulia about its decision.

Anwar's lawyer had written a letter to Home Minister Datuk Seri Ahmad Zahid Hamidi on February 25 to instruct the prisons department to escort Anwar to attend the sitting on Monday.

However, Zahid had said on Monday that only the Pardons Board, attorney-general and the speaker had the final say whether Anwar could attend Parliament.

"Zahid's statement is shocking, incomprehensible and a direct contradiction of the Prisons Act 1995," they said.

They had referred to Section 13(1) of the Prisons Act which states that the Prisons director-general "shall be responsible" to the minister for the due observance of the provisions of the law.

The lawyers also criticised Zahid's suggestion that the Pardons Board be allowed to make a decision first, saying that if the Pardons Board made a decision one way or the other, the issue of bringing Anwar to Parliament from prison would not arise at all.

They also decried Zahid's move in responding to their request for Anwar to attend the sitting through the media instead of replying to them directly.

Today former attorney-general Tan Sri Abu Talib Othman said no one had the legal authority to direct the prison authorities to produce Anwar in parliament.

The government's former legal adviser further said neither the Dewan Rakyat speaker nor the home minister have the legal clout to order that Anwar be produced in parliament.

"I don't think the law has been amended to allow the speaker and the minister to order that a convicted MP attend proceedings," he said.

Talib said Anwar had been sentenced by a court of law in accordance with the Federal Constitution and the applicable law.

"He has been ordered to be placed in custody after he was sentenced to five years jail," he told The Malaysian Insider in response to allegation that Home Minister Datuk Seri Ahmad Zahid Hamidi was evading his responsibility in deciding whether Anwar could attend Parliament next week.

He said the speaker only presided over meetings and his powers were all provided in the constitution and the standing orders.

"It is beyond the powers of the speaker to direct the prisons department to produce Anwar, who is also the Permatang Pauh MP, to attend the daily parliament sittings," he added.

Talib, who was attorney-general for 13 years until 1993, said Anwar could attend Parliament if he were given a pardon.

On February 24, Pandikar Amin announced that Anwar remained as Permatang Pauh MP and opposition leader pending a decision on his petition to the Yang di-Pertuan Agong.

Dr Wan Azizah and Nurul Izzah presented a petition for a royal pardon to Istana Negara just before the 14-day deadline expired.

Nurul Izzah, the PKR vice-president and Lembah Pantai MP, said the petition for pardon was made on the basis that her father's conviction failed to adhere to the principles of justice.

On February 10, a five-man bench led by Chief Justice Tun Arifin Zakaria found Anwar guilty of having carnal intercourse with his former aide Mohd Saiful Bukhari Azlan.

The apex court also upheld the five-year jail term imposed by a lower court.

He committed the offence at a unit of the Desa Damansara condominium in Bukit Damansara on June 26, 2008.

Anwar's application for pardon would be chaired by the Agong and the members of the board would consist of the Federal Territories Minister, the A-G and two others. – March 4, 2015.

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